

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DAVID FINKELSTEIN, Individually and
on Behalf of All Others Similarly Situated,

Plaintiff,

v.

ANDREW FOX, LEAH SCHWELLER,
and CRAIG DENSON

Defendants.

Case No. 1:24-cv-04056-JMF

**NOTICE OF WITHDRAWAL OF TROY HARRIS'S MOTION FOR APPOINTMENT
AS LEAD PLAINTIFF AND APPROVAL OF LEAD COUNSEL**

On August 12, 2024, Troy Harris filed a motion for appointment as lead plaintiff and approval of counsel in connection with the above-captioned securities fraud class action (Dkt. No. 27, the “Motion”). Four similar motions were filed by other putative class members in this action.

The Private Securities Litigation Reform Act of 1995 (“PSLRA”) directs the Court to appoint the “most adequate plaintiff” as lead plaintiff, and provides a rebuttable presumption that the most adequate movant is the person or group that, among other things, has “the largest financial interest in the relief sought by the class,” and otherwise satisfied the requirements of Rule 23 of the Federal Rules of Civil Procedure. 15 U.S.C. § 78u-4(a)(3)(B)(iii)(I). Having reviewed the competing motions and supporting papers provided by the other movants seeking appointment as lead plaintiff, it appears that the Brooklyn Investor Group (Dkt. No. 14) has the largest financial interest. The Brooklyn Investor Group also appears to satisfy the relevant typicality and adequacy requirements of Rule 23. As such, Mr. Harris hereby withdraws his Motion.

By this withdrawal, Mr. Harris does not waive his rights to participate and recover as a class member in this litigation.

Respectfully submitted,

DATED: August 26, 2024

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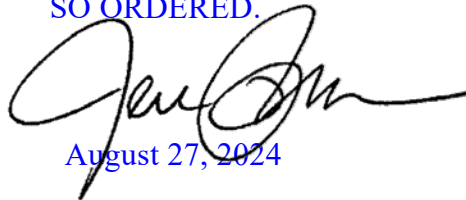
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Counsel for Troy Harris

The Clerk of Court is directed to terminate ECF No. 27.

SO ORDERED.

A handwritten signature in black ink, appearing to be "Janet M.", written over the date.

August 27, 2024

PROOF OF SERVICE

I, the undersigned say:

I am not a party to the above case and am over eighteen years old.

On August 26, 2024, I served true and correct copies of the foregoing document, by posting the document electronically to the ECF website of the United States District Court for the Southern District of New York, for receipt electronically by the parties listed on the Court's Service List.

I affirm under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 26, 2024, at New York, New York.

/s/ Gregory B. Linkh
Gregory B. Linkh